

Exhibit A

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Attorneys for Defendant and Third-Party Plaintiff
REACH MEDIA GROUP, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

DAVID TRINDADE, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

REACH MEDIA GROUP, LLC, a
Delaware limited liability company,

Defendant.

REACH MEDIA GROUP, LLC, a
Delaware limited liability company,

Third-Party Plaintiff,

v.

RYAN LENAHAAN, individually, KYLE
DANNA, individually, and EAGLE WEB
ASSETS INC., a corporation,

Third-Party Defendants.

CASE NO 5:12-CV-04759 (PSG)

(Complaint Filed: September 12, 2012)

CLASS ACTION

**STIPULATION TO EXTEND TIME
FOR SERVICE OF THIRD-PARTY
COMPLAINT ON THIRD-PARTY
DEFENDANT EAGLE WEB ASSETS INC.**

Judge: Honorable Paul Singh Grewal
Department: Courtroom 5
Complaint Filed: Sept. 12, 2012
Third-Party Complaint Filed: Nov. 15, 2012

1 Plaintiff David Trindade ("Plaintiff"), Defendant and Third-Party Plaintiff Reach Media
 2 Group, LLC ("RMG"), and Third-Party Defendants Ryan Lenahan ("Lenahan") and Kyle Danna
 3 ("Danna") (collectively, the "Parties"), stipulate and agree as follows:

4 WHEREAS:

- 5 A. RMG filed a Third-Party Complaint in this matter on November 15, 2012 against
 6 Third-Party Defendants Ryan Lenahan ("Lenahan"), Kyle Danna ("Danna"), and
 7 Eagle Web Assets, Inc. ("EWA") (Dkt. #22.) The Third-Party Complaint states five
 8 counts: (1) Breach of Warranty Against All Third-Party Defendants; (2) Breach of
 9 Contract Against All Third-Party Defendants; (3) Libel Per Se Against Third-Party
 10 Defendants Lenahan and EWA; (4) Tortious Interference With Contractual Relations
 11 Against Third-Party Defendant Lenahan; and (5) Tortious Interference With
 12 Prospective Economic Advantage Against Third-Party Defendant Lenahan.
- 13 B. RMG completed timely service of process on Lenahan and Danna.
- 14 C. During the Initial Case Management Conference in this matter on January 8, 2013,
 15 counsel appearing on behalf of RMG, Vishali Singal, Esq., informed this Court that as
 16 of January 8, 2013, RMG had encountered difficulty serving EWA with the Third-
 17 Party Complaint. Ms. Singal further informed this Court that RMG likely required an
 18 additional month to effectuate service on EWA of the Third-Party Complaint.
- 19 D. Subsequently, during the Initial Case Management Conference, this Court set a 30-day
 20 deadline for RMG to serve EWA with the Third-Party Complaint, reflected in the
 21 Civil Minute Order of the same date. (Dkt. #37.) That deadline corresponds with the
 22 date February 7, 2013.
- 23 E. On January 11, 2013, RMG was electronically served through this Court's Electronic
 24 Case Filing system with Lenahan's and Danna's Third-Party Defendants' Notice of
 25 Motion and Motion to Strike And/Or Dismiss Third-Party Complaint and
 26 Memorandum of Points and Authorities In Support Thereof ("Motion"). (Dkt. #38.)
 27 The Notice of Motion to Strike And/Or Dismiss Third-Party Complaint ("Notice of
 28 Motion") specified a hearing date of February 26, 2013. (Dkt. #38.)

- 1 F. The Motion argues, among other things, that RMG has not stated a proper third-party
2 claim as to Lenahan and Danna and that RMG has failed to state claims for Breach of
3 Warranty and Breach of Contract (See Motion, pp. 6-7.)
- 4 G. On January 25, 2013, this Court reset the February 26, 2013 hearing on the Motion to
5 March 12, 2013. (Dkt. #45.)
- 6 H. Pursuant to Federal Rule of Civil Procedure 4(m), RMG has a 120-day period within
7 which to serve EWA with the Third-Party Complaint from the date it was filed. This
8 deadline corresponds with March 15, 2013, three days after the Court's hearing on the
9 Motion.
- 10 I. Because the Third-Party Complaint asserts common allegations and two causes of
11 action, Breach of Warranty and Breach of Contract, as to Lenahan, Danna, and EWA,
12 and because those allegations and causes of action are the subject of Lenahan's and
13 Danna's Motion set for hearing on March 12, 2013, RMG seeks to await the outcome
14 of the Motion in determining how it affects the content of the Third-Party Complaint
15 as to EWA and the decision to proceed against EWA.
- 16 J. RMG's request, pursuant to Federal Rule of Civil Procedure 6(b), for a 14-day
17 extension of time to serve EWA with the Third-Party Complaint or, in its discretion,
18 an amended Third-Party Complaint from the date this Court issues its order on the
19 Motion is the third time RMG has requested a change to any event previously
20 scheduled by this Court. Previously, (1) on October 4, 2012, RMG and Plaintiff
21 requested a continuance of the Initial Case Management Conference and all
22 corresponding deadlines (Dkt. #7), which this Court granted on October 12, 2012
23 (Dkt. #9) and (2) on December 4, 2012, RMG and Plaintiff requested a continuance of
24 the Initial Case Management Conference (Dkt. #25), which this Court granted on
25 December 7, 2012 (Dkt. #26.)

26 NOW, THEREFORE, the Parties, by and through their respective counsel, stipulate and
27 agree as follows:

28 Good cause appearing therefore and subject to the approval of the Court, RMG's deadline

1 to serve Eagle Web Assets Inc. with the Third-Party Complaint or an amended Third-Party
2 Complaint is extended to 14 days from the date this Court issues its order on Lenahan's and
3 Danna's Motion to Strike And/Or Dismiss Third-Party Complaint (Dkt. #38), or such other date
4 and time thereafter as the Court shall order.

5 IT IS SO STIPULATED.

6
7 Dated: February 5, 2013

8 DLA PIPER LLP (US)

9 By: /s/ Vishali Singal
10 ERIN JANE ILLMAN
11 VISHALI SINGAL
12 Attorneys for Defendant and Third-Party
Plaintiff
REACH MEDIA GROUP, LLC

13 Dated: February 5, 2013

14 EDELSON MCGUIRE LLC

15
16 By: /s/ Benjamin H. Richman
17 BENJAMIN H. RICHMAN
18 Attorneys for Plaintiff
DAVID TRINDADE

19 Dated: February 5, 2013

20 KRONENBERGER ROSENFELD, LLP

21
22 By: /s/ Virginia A. Sanderson
23 VIRGINIA A. SANDERSON
24 Attorneys for Third-Party Defendant Ryan
25 Lenahan and for Specially Appearing Third-
26 Party Defendant Kyle Danna
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1 I, Vishali Singal, am the ECF user whose identification and password are being used to
2 file the foregoing STIPULATION TO EXTEND TIME FOR SERVICE OF THIRD-PARTY
3 COMPLAINT ON THIRD-PARTY DEFENDANT EAGLE WEB ASSETS INC. In compliance
4 with General Order 45, X.B., I hereby attest that the above-referenced signatories to this
5 stipulation have concurred in this filing.
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